Alberta
ENVIRONMENT

ENFORCEMENT OF THE

ENVIRONMENTAL PROTECTION AND ENHANCEMENT ACT

And

WATER ACT

1 Apr 2010 - 30 Jun 2010

July 2010
Environmental Management Division
Alberta Environment

Alberta
ENVIRONMENT

Enforcement Actions

1 Apr 2010 - 30 Jun 2010

Company/Individual	*Municipality / LLD*	*Decision Date/ Penalty*	*Act/ Regulation*	*Comments / Disposition*
Administrative Penalties				
Ritchie & Sons (Alberta) Ltd.	Ponoka SE-9-43-25-W4 Plan 4334RD, Lot 2	06-Apr-10 Assessed: $3,500.00	AEPEA(R) 176 192/96 23(1)	The Company disposed of waste in a place other than a waste management facility authorized in accordance with the Act. Paid 04 May 2010.
Yurchak, Trevor	County of Athabasca NE-3-63-24-W4	19-Apr-10 Assessed: $2,000.00	WA 36(2)	On or about August 22, 2008, Mr. Yurchak did commence or carry out an activity within a water body, a Class "C" fish bearing drainage, without first providing notice to the Director as set out within the Code of Practice for Pipeline and Telecommunication crossings. Paid 3 May 2010.
Alberta Health Services (Capital Health Region)	Edmonton Plan 9826528, Lot 6	20-Apr-10 Assessed: $7,500.00	AEPEA(R) 110(1) 181/00 2(1)	On or about September 24, 2008, Alberta Health Services (Capital Health Region) released, without authorization, an ozone-depleting substance or halocarbon (Halon 1301) into the environment that has caused, is causing, or may cause an adverse effect; and failure to immediately report the release to the Director. Paid 12 May 2010.
Dapp Power Corp.	Westlock County S-1-63-2-W5	20-Apr-10 Assessed: $8,000.00	AEPEA(R) 227(e)	The Company owns and operates a biomass-fired thermal electric power plant pursuant to an Approval. It contravened its approval with the release of particulate matter into the environment at a rate above the approved limit on numerous occasions; late submission of the April 2, 2008 Manual Stack Survey Report; and failure to immediately report any contraventions of the Approval to the Director. Paid 10 May 2010.
Lamont County	Lamont County NW-9-54-18-W4	20-Apr-10 Assessed: $2,500.00	AEPEA(R) 163(1)	The County, on or about July 1, 2008, applied the pesticide Milestone in a manner not complying with the requirements of the label for that product. Paid 17 May 2010.
Coal Valley Resources Inc.	Yellowhead County 24-47-20-W5	11-May-10 Assessed: $20,500.00	AEPEA(R) 227(e)	The Company operates the Coal Valley Mine pursuant to an Approval. It contravened its approval by failing to allow all weather access for monitoring, dredging, and maintenance; failing to maintain drainage ditches to prevent channel erosion and water quality degradation; the discharge of mine

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Administrative Penalties				
				wastewater without authorization by the Director; the unauthorized release of a substance from the mine to a surrounding watershed; release of a substance into the environment which exceeded the maximum daily limit for Total Suspended Solids; the release of a substance into the environment which has caused an adverse effect; and failure to immediately report a contravention of the Approval. Paid 28 May 2010.
Okotoks, Town of & EPCOR Water Services Inc.	Okotoks SE-29-20-29-W4	26-May-10 Assessed: $6,500.00	AEPEA(R) 227(e)	The Town of Okotoks owns and operates the Okotoks Waterworks system pursuant to an Approval. It is operated on their behalf by EPCOR Water Services Inc. The Approval was contravened with the failure to perform a task required of the Approval, to install the required equipment at the Plant to meet the construction requirements in the Approval and failure to immediately report a contravention of the Approval. Paid 24 June 2010.
Suncor Energy Inc.	MD of Wood Buffalo	28-May-10 Assessed: $4,500.00	AEPEA(R) 227(e)	The Company operates an Oil Sands Processing Plant and Mine pursuant to an Approval. It contravened its approval when it did not exercise appropriate due diligence concerning the failure to ensure combustion of all combustible gases from flares 19F-1 and 19F-3. Paid 8 June 2010.
Prairie Royale Water System Ltd. & Dockman, Michael	Rocky View County E-33-25-28-W4	03-Jun-10 Assessed: $8,500.00	AEPEA(R) 277/203 6(1)(a)	The Parties contravened the Potable Water Regulation when chlorine levels exceeded the maximum acceptable concentration for free chlorine; were below the minimum acceptable concentration of total chlorine and having fluoride levels exceed the maximum acceptable concentration as specified in the Standards and Guidelines for Municipal Waterworks, Wastewater and Storm Drainage Systems. Notice of Appeal received by the Environmental Appeals Board June 29, 2010.
Maxim Power Corp.	Taber	04-Jun-10 Assessed: $9,000.00	AEPEA(R) 227(e)	Maxim Power Corp. operates four Thermal Electric Power Plants pursuant to Approvals. The Company contravened its approvals by failing to submit the annual air emissions reports due March 31st of each year, and for failing to immediately report the contraventions of these approvals. Paid 22 June 2010.

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Administrative Penalties				
D & F Blounas Holding Ltd. & Blounas, Dimitrios	Edmonton NW-12-53-26-W4	24-Jun-10 Assessed: $4,500.00	WA 142(1)(h)	The Parties did not exercise due diligence when commencing and or continuing an activity in a water body without an approval, the filling or drainage and grading of a wetland that has or may alter the flow, direction of flow, or level of water or changing the location of water or the direction of flow. Notice of Appeal received by the Environmental Appeals Board July 6, 2010.
Suncor Energy Inc.	MD of Wood Buffalo	25-Jun-10 Assessed: $28,000.00	AEPEA(R) 227(e)	The Company operates an Oil Sands Processing Plant and Mine pursuant to an approval. It contravened its approval when it failed to operate in compliance with the limits specified in the approval, failed to operate in compliance with the approval conditions resulting in unauthorized emissions to the environment, and failing to immediately report a contravention of the approval. Paid 16 July 2010.

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Enforcement Orders				
Saba Energy Ltd.	County of Stettler SE-26-38-22-W4	08-Apr-10	AEPEA(R) 137	Saba Energy Ltd. ["Saba"] is the current licence holder with the Energy Resources Conservation Board ["ERCB"] for a wellsite known as "Saba HB Nevis" and Laurel and Ralph Pole are the registered owners of the Site [07-26-38-22-W4M]. The ERCB issued an Abandonment Order to Saba and the Surface Rights Board terminated the surface lease between Saba and the Poles. In response to a complaint from the landowner regarding possible soil contamination, Alberta Environment ["AENV"] directed Saba to delineate and determine the extent of the alleged contamination. Inspection of the site confirmed contamination present at the well and that the required reclamation work had not been completed. To date Saba has not applied for, nor been granted, a reclamation certificate by AENV. The Company shall provide a copy of the Abandonrite Phase II environmental assessment; conserve and reclaim the well; remediate any contamination that has originated from the well and activities related to the well; conduct remedial work on any contamination that is found; undertake confirmatory soil and/or groundwater sampling; and submit a final report within 30 days of completion of all work required by this Order.
Ahlskog, Harvey and Gail	Parkland County 4-53-5-W5	11-May-10	WA 142(1)(h) 36(1)	Harvey and Gail Ahlskog are the registered owners of the lands which lie to the south of the shore of Lake Wabamun. Inspection by Alberta Environment discovered an unauthorized alteration to the shoreline and floodplain of Wabamun Lake; the natural riparian vegetation had been removed, and sand had been placed on the shoreline to create an artificial beach approximately 70 meters long and 8 meters wide [the "Works"]. The Works have, or may have altered the flow or level of the water, the location of the water, caused siltation or erosion to the banks of the waterbody, and is causing or is capable of causing an adverse effect on the aquatic environment. Remedial works are required to restore the disturbed portions of the shoreline and floodplain of Wabamun Lake adjacent to the lands. The Owners shall immediately cease any unauthorized work on Wabamun Lake; Submit a Remedial Plan; include a proposed Schedule of Implementation; implement the work in the Remedial Plan; provide 2 days notice of the commencement of the work in the Remedial Plan; submit within 30 days of completion of the work, a final written report detailing the work

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Enforcement Orders				
				undertaken to comply with this Order. Notice of Appeal received by the Environmental Appeals Board May 18, 2010.

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Environmental Protection Orders				
Farco Resources Limited	Sturgeon County SE-29-56-23-W4	20-Apr-10	AEPEA(R) 140 113	Farco Resources Limited ["The Company"] was licenced or otherwise authorized by the Energy Resources Conservation Board ["ERCB"] to operate the well. Alberta Environment ["AENV"] has not issued reclamation certificates for the Site. AENV is of the opinion that work is necessary in order to conserve and reclaim the site and that a release of one or more substances into the environment may occur, is occurring or has occurred that may cause, is causing or has caused an adverse effect on the environment. The Company shall submit and implement an Investigative Plan, submit and implement a Remedial Plan, submit and implement a Reclamation Plan; and apply for a reclamation certificate once the criteria has been met..
E L Madison Oilwell Servicing Ltd.	Leduc SE-15-49-25-W4	28-Apr-10	AEPEA(R) 140 113	E L Madison Oil Well Servicing Limited ["The Company"] was licenced or otherwise authorized by the Energy Resources Conservation Board ["ERCB"] to operate the well. Alberta Environment ["AENV"] has not issued reclamation certificates for the Site. AENV is of the opinion that work is necessary in order to conserve and reclaim the site and that a release of one or more substances into the environment may occur, is occurring or has occurred that may cause, is causing or has caused an adverse effect on the environment. The Company shall submit and implement an Investigative Plan, submit and implement a Remedial Plan, submit and implement a Reclamation Plan; and apply for a reclamation certificate once the criteria has been met..
Acumen Energy Corporation Ltd.	County of Stettler SE-24-39-20-W4	10-May-10	AEPEA(R) 113 140	Acumen Energy Corporation Limited ["The Company"] was licenced or otherwise authorized by the Energy Resources Conservation Board ["ERCB"] to operate the well [AECL ET AL STETN 1-24-39-20W4]. Alberta Environment ["AENV"] has not issued reclamation certificates for the Site. AENV is of the opinion that work is necessary in order to conserve and reclaim the site and that a release of one or more substances into the environment may occur, is occurring or has occurred that may cause, is causing or has caused an adverse effect on the environment. The Company shall submit and implement an Investigative Plan, submit and implement a Remedial Plan, submit and implement a Reclamation Plan; and apply for a reclamation certificate once the criteria has been met..

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Environmental Protection Orders				
Acumen Energy Corporation Ltd.	Red Deer County SW-12-37-1-W5	10-May-10	AEPEA(R) 140 113	Acumen Energy Corporation Limited ["The Company"] was licenced or otherwise authorized by the Energy Resources Conservation Board ["ERCB"] to operate the well. Alberta Environment ["AENV"] has not issued reclamation certificates for the Site. AENV is of the opinion that work is necessary in order to conserve and reclaim the site and that a release of one or more substances into the environment may occur, is occurring or has occurred that may cause, is causing or has caused an adverse effect on the environment. The Company shall submit and implement an Investigative Plan, submit and implement a Remedial Plan, submit and implement a Reclamation Plan; and apply for a reclamation certificate once the criteria has been met..
Acumen Energy Corporation Ltd.	County of Stettler SE-24-39-20-W4	10-May-10	AEPEA(R) 113 140	Acumen Energy Corporation Limited ["The Company"] was licenced or otherwise authorized by the Energy Resources Conservation Board ["ERCB"] to operate the well [AECL ET AL STETN 7-24-39-20W4]. Alberta Environment ["AENV"] has not issued reclamation certificates for the Site. AENV is of the opinion that work is necessary in order to conserve and reclaim the site and that a release of one or more substances into the environment may occur, is occurring or has occurred that may cause, is causing or has caused an adverse effect on the environment. The Company shall submit and implement an Investigative Plan, submit and implement a Remedial Plan, submit and implement a Reclamation Plan; and apply for a reclamation certificate once the criteria has been met.
Acumen Energy Corporation Ltd.	Starland County SE-10-29-18-W4	10-May-10	AEPEA(R) 140 113	Acumen Energy Corporation Limited ["The Company"] was licenced or otherwise authorized by the Energy Resources Conservation Board ["ERCB"] to operate the well and associated battery. The Surface Rights Board issued a Termination Order and Alberta Environment ["AENV"] has not issued reclamation certificates for the Site. AENV is of the opinion that work is necessary in order to conserve and reclaim the site and that a release of one or more substances into the environment may occur, is occurring or has occurred that may cause, is causing or has caused an adverse effect on the environment. The Company shall submit and implement an Investigative Plan, submit and implement a Remedial Plan,

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Environmental Protection Orders				
				submit and implement a Reclamation Plan; and apply for a reclamation certificate once the criteria has been met.
Alberta Gas Processors Ltd.	County of Wetaskiwin NE-9-46-22-W4	14-Jun-10	AEPEA(R) 140 113	Alberta Gas Processors Limited ["The Company"] was licenced or otherwise authorized by the Energy Resources Conservation Board ["ERCB"] to operate the well. Alberta Environment ["AENV"] has not issued reclamation certificates for the Site. AENV is of the opinion that work is necessary in order to conserve and reclaim the site and that a release of one or more substances into the environment may occur, is occurring or has occurred that may cause, is causing or has caused an adverse effect on the environment. The Company shall submit and implement an Investigative Plan, submit and implement a Remedial Plan, submit and implement a Reclamation Plan; and apply for a reclamation certificate once the criteria has been met.
Alberta Eastern Gas Limited	Cypress County NW-32-11-1-W4	14-Jun-10	AEPEA(R) 140 113	Alberta Eastern Gas Limited ["The Company"] was licenced or otherwise authorized by the Energy Resources Conservation Board ["ERCB"] to operate the well. Alberta Environment ["AENV"] has not issued reclamation certificates for the Site. AENV is of the opinion that work is necessary in order to conserve and reclaim the site and that a release of one or more substances into the environment may occur, is occurring or has occurred that may cause, is causing or has caused an adverse effect on the environment. The Company shall submit and implement an Investigative Plan, submit and implement a Remedial Plan, submit and implement a Reclamation Plan; and apply for a reclamation certificate once the criteria has been met.
Carl Oil & Gas Limited	Cypress County SW-7-15-10-W4	25-Jun-10	AEPEA(R) 140 113	Carl Oil & Gas Limited ["The Company"] was licenced or otherwise authorized by the Energy Resources Conservation Board ["ERCB"] to operate the well. Alberta Environment ["AENV"] has not issued reclamation certificates for the Site. AENV is of the opinion that work is necessary in order to conserve and reclaim the site and that a release of one or more substances into the environment may occur, is occurring or has occurred that may cause, is causing or has caused an adverse effect on the environment. The Company shall submit

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Environmental Protection Orders				
				and implement an Investigative Plan, submit and implement a Remedial Plan, submit and implement a Reclamation Plan; and apply for a reclamation certificate once the criteria has been met.
Carl Oil & Gas Limited	Cypress County NW-7-15-10-W4	25-Jun-10	AEPEA(R) 113 140	Carl Oil & Gas Limited ["The Company"] was licenced or otherwise authorized by the Energy Resources Conservation Board ["ERCB"] to operate the well. Alberta Environment ["AENV"] has not issued reclamation certificates for the Site. AENV is of the opinion that work is necessary in order to conserve and reclaim the site and that a release of one or more substances into the environment may occur, is occurring or has occurred that may cause, is causing or has caused an adverse effect on the environment. The Company shall submit and implement an Investigative Plan, submit and implement a Remedial Plan, submit and implement a Reclamation Plan; and apply for a reclamation certificate once the criteria has been met.
Carl Oil & Gas Limited	Cypress County NW-7-15-10-W4	25-Jun-10	AEPEA(R) 140 113	Carl Oil & Gas Limited ["The Company"] was licenced or otherwise authorized by the Energy Resources Conservation Board ["ERCB"] to operate the well and facility. Alberta Environment ["AENV"] has not issued reclamation certificates for the Site. AENV is of the opinion that work is necessary in order to conserve and reclaim the site and that a release of one or more substances into the environment may occur, is occurring or has occurred that may cause, is causing or has caused an adverse effect on the environment. The Company shall submit and implement an Investigative Plan, submit and implement a Remedial Plan, submit and implement a Reclamation Plan; and apply for a reclamation certificate once the criteria has been met..
Carl Oil & Gas Limited	Cypress County NE-8-15-10-W4 NW-7-15-10-W4 SW-7-15-10-W4	25-Jun-10	AEPEA(R) 140 113	Carl Oil & Gas Limited ["The Company"] was licenced or otherwise authorized by the Energy Resources Conservation Board ["ERCB"] to operate the well, facility and pipelines. Alberta Environment ["AENV"] has not issued reclamation certificates for the Site. AENV is of the opinion that work is necessary in order to conserve and reclaim the site and that a release of one or more substances into the environment may occur, is occurring or has occurred that may cause, is

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Environmental Protection Orders				
				causing or has caused an adverse effect on the environment. The Company shall submit and implement an Investigative Plan, submit and implement a Remedial Plan, submit and implement a Reclamation Plan; and apply for a reclamation certificate once the criteria has been met..

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Field Warning				
Nanton, Town of	Nanton	15-Jun-10	AEPEA(R) 227(e)	The Town operates the Nanton Waterworks System pursuant to an Approval. Several contraventions of the approval were found during a site Inspection on March 4, 2010.

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Prosecutions				
MacNaughton, Mark		26-May-10 Penalty: $3,000.00	WA 142(1)(h)	Count 1: Co-accused "Quartz Land & Developments Ltd. and Peters, Donald J." Between the 1st day of September 2007 and the 30th day of November 2007, both dates inclusive, at or near Stettler in the Province of Alberta did commence or continue an activity except under an approval or as otherwise authonzed by the Water Act and did thereby commit an offence under s. 142(1)(h) of the Water Act. Mr. MacNaughton pled guilty and was sentenced to a fine of $3000.00. Paid 28 May 2010.
Quartz Land & Developments Ltd.		26-May-10 Penalty: $38,000.00	WA 142(1)(h)	Count 1: Co-accused "MacNaughton, Mark and Peters, Donald J." Between the 1st day of September 2007 and the 30th day of November 2007, both dates inclusive, at or near Stettler in the Province of Alberta did commence or continue an activity except under an approval or as otherwise authorized by the Water Act and did thereby commit an offence under s. 142(1)(h) of the Water Act. Quartz Land & Developments Ltd. pled guilty and was sentenced to a fine of $38,000.00. In addition, a Creative Sentencing Order was issued in the amount of $42,000.00 payable to Ducks Unlimited Canada to fund a wetland restoration project known as the Mika Project near Stettler Alberta. Fine paid 28 May 2010. Creative Sentencing Order complied with, payment received by Ducks Unlimited Canada 4 June 2010.
Stuve, Ross James		26-May-10 Penalty: $100.00	AEPEA(R) 227(j)	Count 1: Co-accused "Quatro Tech Industrial Services Ltd." On or about the 5th day of July, 2008, at or near Red Deer in the Province of Alberta, did dispose of waste other than at a waste management facility, or in a container the contents of which, will be taken to a waste management facility, that is the subject of the appropriate approval, registration or notice required by the Environmental Protection and Enhancement Act, contrary to section 176 of the Environmental Protection and Enhancement Act, and did thereby commit an offence contrary to section 227(j) of the Environmental Protection and Enhancement Act. Pled guilty and was sentenced to a fine of $100.00. In addition, Stuve must complete 200 hours of community service and was ordered to write and pay for a $500 advertisement in the Red Deer Advocate to apologize to the community for what he did. Fine paid 24 June 2010.

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Prosecutions				
Dunvegan Gardens (AB) Ltd.		31-May-10 Penalty: $10,000.00	WA 142(2)(e)	Count 1: Co-accused "Friesen, Bradley Vere" On or between the 1st day of June 2007 and the 31st day of September, 2007, at or near Fort McMurray in the Province of Alberta, did knowingly commence or continue a diversion of water for any purpose, or operate a works for the diversion of water other than under a licence or as otherwise authorized by this Act, the limitation penod having been extended on the basis of section 141(1)(b) of the Water Act, contrary to section 142(2)(e) of the Water Act. Pled guilty 31 May 2010 and was sentenced to a global penalty of $10,000.00. As part of the creative sentencing, $5,000 from the overall fine will be used to develop an educational program regarding water licensing procedures and water conservation for the Alberta Farm Fresh Producers Association. It was also ordered that Dunvegan shall publish the facts relating to the conviction in a notice to all members of the AFFPA..
Harvest Operations Corp.		17-Jun-10 Penalty: $70,000.00	AEPEA(R) 227(j)	Count 1: Co-accused "Harvest Energy Trust" Between the 14th day of March, 2007 and the 19th day of March 2007, both dates inclusive, at or near Wainwright in the Province of Alberta, did release or permit the release into the environment of a substance in an amount, concentration or level or at a rate of release that causes or may cause a significant adverse effect contrary to section 109(2) of the Environmental Protection and Enhancement Act and did thereby commit an offence contrary to s. 227(j) of the Environmental Protection and Enhancement Act. Harvest Operations Corp. pled guilty and was sentenced to a fine of $21,000.00. In addition, a Creative Sentencing Order was issued in the amount of $49,000.00 payable to Ducks Unlimited Canada to fund a wetland restoration project near Wainwright, Alberta. Fine paid 24 June 2010.

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		Tickets		

No Activity

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Warning Letters				
Kroetsch, Michael	Flagstaff County SE-4-42-13-W4 NE-4-42-13-W4	08-Apr-10	WA 36(1)	Mr. Kroetsch conducted an activity, the unauthorized construction of drainage works on or about July 24, 2008.
Decker Management Ltd.	Calgary Plan 8910156, Block 8, Lot 2	15-Apr-10	WA 49(1)(a)	The Company conducted an activity, the unauthorized diversion of water from an unnamed water body on May 12, 2008.
Calgary Humane Society	Calgary	21-Apr-10	AEPEA(R) 227(e)	The Calgary Humane Society operates the Calgary SPCA Incineration Facility pursuant to an Approval. It contravened its approval by failing to submit outstanding monthly and annual reports that were due starting on September 30, 2005.
Capital Power Generation Services Inc.	Leduc County 25-50-3-W5	29-Apr-10	AEPEA(R) 227(e)	The Company operates the Genesee Thermal Electric Power Plant pursuant to an Approval. It contravened its approval with the operation of process equipment, in particular the Unit 3 flue gas desulphurization unit, without the pollution abatement equipment associated with this Unit operating on October 22, 2009.
Stantec Consulting Ltd.	Edmonton NE-18-51-24-W4	20-May-10	WA 142(1)(i)	The Company conducted an activity, the construction of an outfall without providing the required Code of Practice notification on November 6, 2009.
iSL Engineering and Land Services Ltd.	Edmonton Plan 8920191, Block 2	02-Jun-10	WA 36(1)	The Company conducted an activity, the unauthorized realignment of a waterbody between November 2006 and September 2007.
Mammoet 13220 - 33 Street NE Limited	Edmonton Plan 8920191, Block 2	02-Jun-10	WA 36(1)	The Company conducted an activity, the unauthorized realignment of a waterbody between November 2006 and September 2007.
Stony Valley Contracting Ltd.	MD of Wood Buffalo SW-10-84-7-W4	02-Jun-10	AEPEA(R) 192/96 18(1)	The Company conducted an activity, the improper storage and handling of a hazardous recyclable on March 10, 2010.

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Warning Letters				
Waiward Construction Management Inc.	Edmonton Plan 8920191, Block 2	02-Jun-10	WA 36(1)	The Company conducted an activity, the unauthorized realignment of a waterbody between November 2006 and September 2007.
Crozier, Michael	Argentia Beach SE-13-47-1-W5 Plan 8221137, Block 3, Lot 10	07-Jun-10	WA 36(1)	Mr. Crozier conducted an activity, the unauthorized modification of the shore of Pigeon Lake on April 14, 2010.
Robinson, Jay	Argentia Beach SE-13-47-1-W5 Plan 8221137, Block 3, Lot 10	07-Jun-10	WA 36(1)	Mr. Robinson conducted an activity, the unauthorized modification of the shore of Pigeon Lake on April 14, 2010.
Sureway Construction Management Ltd.	Edmonton 35-53-25-W4	16-Jun-10	WA 142(1)(h)	The Company conducted unauthorized activity in a water body on the 29th day of March, 2010, when vegetation in a wetland was disturbed without an approval.

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Water Management Orders				
No Activity				